

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

United States of America,

) Case No. CR 13-147 PJH

Plaintiff,

) STIPULATED ORDER EXCLUDING
TIME UNDER THE SPEEDY TRIAL ACT
FILED

v.

Martin Garua-Galvez

Defendant.

For the reason stated by the parties on the record on March 13, 2013, the Court excludes time under the Speedy Trial Act from March 13, 2013, to March 27, 2013 and finds that the ends of justice served by the continuance outweigh the best interest of the public and the defendant in a speedy trial. See 18 U.S.C. § 3161(h)(7)(A). The Court makes this finding and bases this continuance on the following factors:

RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND

MAR 13 2013

- Failure to grant a continuance would be likely to result in a miscarriage of justice. See 18 U.S.C. § 3161(h)(7)(B)(I).
- The case is so unusual or so complex, due to [circle applicable reasons] the number of defendants, the nature of the prosecution, or the existence of novel questions of fact or law, that it is unreasonable to expect adequate preparation for pretrial proceedings or the trial itself within the time limits established by this section. See 18 U.S.C. § 3161(h)(7)(B)(ii).
- Failure to grant a continuance would deny the defendant reasonable time to obtain counsel, taking into account the exercise of due diligence. See 18 U.S.C. § 3161(h)(7)(B)(iv).
- Failure to grant a continuance would unreasonably deny the defendant continuity of counsel, given counsel's other scheduled case commitments, taking into account the exercise of due diligence. See 18 U.S.C. § 3161(h)(7)(B)(iv).
- ✓ Failure to grant a continuance would unreasonably deny the defendant the reasonable time necessary for effective preparation, taking into account the exercise of due diligence. See 18 U.S.C. § 3161(h)(7)(B)(iv).
- For the reasons stated on the record, it is further ordered that time is excluded under 18 U.S.C. § 3161(b) and waived with the consent of the defendant under Federal Rules of Criminal Procedure 5.1(c) and (d).

IT IS SO ORDERED.

DATED: 3/13, 2013

Kandis Westmore
Hon. Kandis A. Westmore
United States Magistrate Judge

STIPULATED: [Signature]

Attorney for Defendant

Kim C.
Assistant United States Attorney